

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

THE INVENTION

As recited in claim 1, the present invention includes a card game for two or more players. The card game includes at least two decks of cards, one for each player. Each deck comprises a plurality of cards including a plurality of battle cards having at least attack power and defense power indicated thereon, a plurality of effect indication cards having an effect indicated thereon that is brought into play when used, and a plurality of cost payment cards to be used for cost payment. It should be especially noted that, as required by the presently-recited claims, the plurality of the battle cards and said plurality of the effect indication cards have an indication of additional attack power thereon. This is different from the prior art relied upon by the Examiner.

THE REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-13 had been rejected under Section 102(e) as being anticipated by Braunlich et al. This rejection is respectfully traversed, particularly as applied to the

claims as presently amended.

Braunlich et al. is directed to a method for deploying a character in a card game, including a playing deck 20 each having a number of cards 22. The Examiner cites a number of elements disclosed in Braunlich et al. that are taken to read on the limitations of the claimed invention. Braunlich et al. disclose a character card 100 that is read onto the presently recited "battle card." The reference discloses a weapon card 200 and a location card 300, which are respectively read onto the present "effect indication card" and "cost payment card."

In view of the guidelines for game apparatus claims set forth by the Examiner, claimed elements having physical structure are given patentable weight, such as cards and specific symbols representing various attributes and/or category groups. It is respectfully submitted that the presently claimed card game recites physical structure that is different from that disclosed in the Braunlich et al. reference.

In the Braunlich et al. reference, the bonus power location 110 (which corresponds to the "additional attack power" as presently claimed) is indicated in the character card 100 (which corresponds to the presently-claimed "battle card.") However, it should be carefully noted that Braunlich et al. does not disclose that a bonus power location indicator 110 is indicated on the weapon card 200 (which corresponds to the presently claimed "effect indication card"). It is therefore respectfully submitted that the Braunlich et al. reference fails to disclose every aspect of the claimed invention as required by e.g. MPEP 706.02 in order to show anticipation in accordance with Section 102. It is therefore respectfully submitted that independent claims 1, 6 and 9 are not anticipated by the Braunlich et al. reference.

The present invention has several merits and advantages not offered by the prior art. With the present invention, the players can play the game by effectively utilizing additional attack power in attack actions against the opposing players. The additional attack power is indicated on one or more battle cards and/or one or more effect indication cards in the players hand or deck or on the play field. The players can bring the additional attack power into play by paying the required cost using the cost payment cards.

In addition to the use of the originally intended functionality of the battle and effect indication cards, the additional attack power of those cards can be utilized in the game. Thus, without using the effect indicated on the effect indication card, overall attack power can be increased. Consequently, in accordance with the present invention, the players can become familiar with the game in a comparatively short period of time without knowing how the effect indicated on the effect card works. In addition, the game can be completed in a short time by elaborating a strategy with respect to how much and at what stage additional attack power should be executed in order to increase the overall attack power (i.e. the attack power plus the additional attack power or accumulated additional attack power.) In this way, the players can enjoy the speedy development of the game.

The above-indicated advantages are not obtainable in the prior art. It is therefore respectfully submitted that the present claims recite limitations that are neither anticipated nor otherwise suggested by the prior art. Reconsideration and withdrawal of the outstanding rejection against independent claims 1, 6 and 9 is therefore respectfully requested. It is further respectfully submitted that the present dependent claims recite limitations that further distinguish the inventive subject

matter. However, these dependent claims are considered allowable for at least the same reasons as the independent claims, as submitted above. A favorable indication of allowability in the present claims is therefore earnestly solicited.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. NIS-14976.

Respectfully submitted,

RANKIN, HILL, PORTER & CLARK LLP

By


Jay P. Ryan

Agent for Applicant

Registration No. 37,064

4080 Erie Street
Willoughby, Ohio 44094
(216) 566-9700